

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

Blue Spike, LLC,

*Plaintiff,*

V.

Texas Instruments, Inc., et al.,

*Defendants.*

CASE NO. 6:12-cv-499 MHS

## LEAD CASE

## Jury Trial Demanded

**PLAINTIFF'S REQUEST TO THE CLERK FOR  
ENTRY OF DEFAULT AS TO SONDA TECHNOLOGIES, LTD.**

Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiff Blue Spike, LLC (“Blue Spike”) respectfully requests that the Clerk of Court enter the default of Defendant Sonda Technologies, Ltd. (“Sonda”). In support of this request, Blue Spike shows the following:

1. Sonda was formally served on February 13, 2013 with a Summons and Blue Spike's Original Complaint through its registered agent for service of process, the Texas Secretary of State, 1019 Brazos St., Austin, Texas 78701. See Exhibit A, Declaration of Christopher A. Honea in Support of Blue Spike, LLC's Request to the Clerk of Court for Entry of Default of Defendant Sonda Technologies, Ltd. ("Honea Declaration"), ¶ 3.

2. Sonda confirmed actual notice of Blue Spike's Complaint when the General Director of Sonda sent a letter via e-mail to counsel for Blue Spike stating "We would like kindly to inform you, that your complaint (Case No: 6:13-CV-58) is unjustified, as we have never had any business neither in the State of Texas nor in

USA.” Honea Declaration, ¶ 4.

3. Pursuant to Federal Rules of Civil Procedure 4(d) and 12, Sonda was required to answer or otherwise respond by March 6, 2013.

4. To date, Sonda has not filed an Answer or otherwise responded to Blue Spike’s Complaint, and no attorney has made an appearance on behalf of Sonda or otherwise contacted Blue Spike or its attorneys to discuss this proceeding. Honea Declaration, ¶ 5.

Therefore, Blue Spike requests that the Clerk of Court enter the default of Sonda for failure to plead or otherwise respond. A proposed entry of default of Sonda is included herewith for the Clerk’s convenience.

Respectfully submitted,

/s/ Randall T. Garteiser

Randall T. Garteiser

Texas Bar No. 24038912

rgarteiser@ghiplaw.com

Christopher A. Honea

Texas Bar No. 24059967

chonea@ghiplaw.com

Christopher S. Johns

Texas Bar No. 24044849

cjohns@ghiplaw.com

Kirk J. Anderson

California Bar No. 289043

Peter S. Brasher

California Bar No. 283992

**GARTEISER HONEA, P.C.**

44 North San Pedro Road

San Rafael, California 94903

Telephone: (415) 785-3762

Facsimile: (415) 785-3805

***Counsel for Blue Spike LLC***

**CERTIFICATE OF SERVICE**

I, Randall T. Garteiser, am the ECF User whose ID and password are being used to file this document. I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this day.

/s/ Randall T. Garteiser  
Randall T. Garteiser